

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

REMARK LLC,

Plaintiff,

Case No. 10-12767
HON. GEORGE CARAM STEEH

vs.

ADELL BROADCASTING,

Defendant.

_____ /

AMENDED JUDGMENT

The above entitled matter has come before the court, and in accordance with the order entered on September 20, 2011, the judgment entered in this matter on October 24, 2011 is hereby amended in its entirety, and the following is the court's amended judgment:

IT IS HEREBY ORDERED AND ADJUDGED that judgment is hereby entered in favor of plaintiff and against defendant as to plaintiff's claim for breach of settlement agreement (count III);

IT IS HEREBY ORDERED AND ADJUDGED that judgment is hereby entered in favor of plaintiff and against defendant in the amount of \$50,000, plus interest accruing at the applicable statutory interest rate under Mich. Comp. Laws § 600.6013(8) and 28 U.S.C. § 1961(a);

IT IS HEREBY ORDERED AND ADJUDGED that judgment is hereby entered that defendant will cease and desist from the broadcast or other display of the "Promo with Girl" and "Classic Comedy Block" commercials, including display on the Internet, and defendant

will not use the "Promo with Girl" and "Classic Comedy Block" commercials without plaintiff's written consent and remuneration to plaintiff;

IT IS HEREBY ORDERED AND ADJUDGED that judgment is hereby entered that except for the rights and obligations of the parties' arising out of this judgment and the court's prior orders entered in this matter, including any such rights and obligations stemming from any appeal of such orders, plaintiff and defendant each release the other from and against all claims, obligations, and liabilities of every nature and kind pertaining to the "Promo with Girl" and "Classic Comedy Block" commercials. Such release shall bind and inure to the benefit of each parties' parent and subsidiary corporations, related or affiliated entities, and each of their respective current and former directors, officers, stockholders, representatives, agents, employees, predecessors, successors, affiliates, divisions, subsidiaries, insurers, auditors, actuaries and attorneys, heirs, executors, administrators and assigns;

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered in favor of defendant and against plaintiff as to plaintiff's claim for trademark infringement as set forth in this court's September 20, 2011 order (Dkt. No. 35 at 11-13) (count II);

IT IS HEREBY ORDERED AND ADJUDGED that plaintiff's copyright infringement claim (count I) is MOOT as set forth in this court's September 20, 2011 order (Dkt. No. 35 at 7-11, 23);

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered in favor of defendant and against plaintiff as to plaintiff's request for an award of attorney fees.

SO ORDERED.

Dated: February 27, 2012

DAVID J. WEAVER
CLERK OF THE COURT

BY: s/Marcia Beauchemin
DEPUTY COURT CLERK